

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

MARY L. PENA,)	
)	
Plaintiff,)	
)	
v.)	
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	Civil Action No. 6:04-CV-049-C
Defendant.)	ECF

ORDER OF DISMISSAL

THIS MATTER comes before the court on the Report and Recommendation filed February 27, 2006 (Doc. 22). Plaintiff filed objections to the Report and Recommendation on March 8, 2006 (Doc. 23). The court has made a *de novo* determination of the Report and Recommendation after consideration of Plaintiff's objections, the submissions of the parties, and the transcript of the administrative proceedings.

The court finds the objections to be without merit. The court further finds that the ALJ applied the correct legal standards and that substantial evidence supports his decision. The court also finds that the Report and Recommendation applied the correct legal standards.


IT IS, THEREFORE, ORDERED that the Report and Recommendation is adopted by the court.

IT IS FURTHER ORDERED that Plaintiff's Motion to Remand (Doc. 17) is denied.

IT IS FURTHER ORDERED that the decision of the Commissioner is affirmed and Plaintiff's complaint is **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that a judgment in accordance with the terms of this order shall be entered forthwith.

Dated March 10, 2006.



SAM R. CUMMINGS
UNITED STATES DISTRICT COURT